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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 5079P2C1

In re Application of: Wang, et al.

Application No.: 10/684,299

Filed: October 10, 2003

For: 1,6-Naphthyridine Derivatives and Their Use to Treat Diabetes and Related Disorders

The owner*, Bayer Pharmaceuticals Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,677,352 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☑ The undersigned is an attorney or agent of record. Reg. No. 48,972

Susan M. Pellegrino — Signature — April 7, 2005 — Date

Susan M. Pellegrino
Typed or printed name

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Telephone Number

☑ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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